



DEPARTMENT OF DEFENSE  
MILITARY COMMISSIONS DEFENSE ORGANIZATION  
1620 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-1620

November 19, 2021

Honorable Scott S. Harris  
Clerk  
Supreme Court of the United States  
Washington, D.C. 20543

RE: *Al Bahlul v. United States*, No. 21-339

Dear Mr. Harris,

On November 19, 2021, counsel for Petitioner were provided the attached email correspondence relating to selection of the current Convening Authority for Military Commissions, Jeffrey Wood. This correspondence was produced in discovery in pre-trial proceedings commenced under a military commission convening order that Mr. Wood issued in January 2021. In the appendix to his petition for certiorari, Petitioner noted that Mr. Wood was believed to be serving in a civilian position, but that his precise employment status was unknown. App. 89a n.2. The attached document clarifies that Mr. Wood was designated as convening authority in his capacity as a GS-13 federal technician for the Arkansas National Guard, which is a federal civilian employee position established pursuant to 10 U.S.C. § 10216.

To ensure completeness, I would appreciate it if you would distribute this letter to the Members of the Court. Thank you for your assistance.

Respectfully submitted,

Michel Paradis  
Military Commission Defense Organization  
1620 Defense Pentagon  
Washington, DC 20301-1620  
michel.d.paradis.civ@mail.mil  
1.703.695.4672

*Counsel for Petitioner*

Cc: Elizabeth B. Prelogar  
Solicitor General United States  
Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
SupremeCtBriefs@USDOJ.gov

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

**From:** [Wood, Jeffrey Douglas COL USARMY NG ARARNG \(USA\)](#)  
**To:** [Vines, Kevin L BG USARMY NG ARARNG \(USA\)](#)  
**Subject:** GTMO Convening Authority  
**Date:** Friday, March 13, 2020 12:41:00 PM

---

BG Vines:

FYSA this had dropped off the radar but it looks like they will make a decision soon. Now that I know it is just one or two cases max, I am confident it will not substantially impact the office day to day and be something I can work on during the evenings and weekends when needed.

JEFFREY D. WOOD  
COL, JA, AR ARNG  
Staff Judge Advocate

Office: [REDACTED]  
Cell Phone: [REDACTED]  
DSN: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Please help us to serve you better by completing our customer survey at the following link:

<https://ice.disa.mil/index.cfm?fa=card&sp=138183&s=355>

Legal Assistance Website: [https://arkansas.nationalguard.mil/Home/JAG Legal/](https://arkansas.nationalguard.mil/Home/JAG%20Legal/)

CONFIDENTIALITY AND DISCLAIMER NOTICE:

The information contained in this e mail and any accompanying attachments may contain sensitive information and is predecisional, which is protected from mandatory disclosure under the Freedom of Information Act, Title 5, United States Code, Section 552. It will not be released to unauthorized persons. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents.

Original Message

From: Moring, Platte B III CIV DLSA (USA)  
Sent: Friday, March 13, 2020 11:44 AM  
To: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)  
[REDACTED]  
Subject: RE: Confirmation of Security Clearance Level and Current Federal GS 13 Technician Payroll Status

UNCLASSIFIED  
UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000048

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

Thank you very much. Decision to be made within next 20 days. Platte

Original Message

From: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)

[REDACTED]  
Sent: Friday, March 13, 2020 12:18 PM

To: Moring, Platte B III CIV DLSA (USA) [REDACTED]  
Subject: Confirmation of Security Clearance Level and Current Federal GS 13 Technician Payroll Status

Platte:

1. Attached is my current ORB showing my [REDACTED]  
[REDACTED] (Year and month the security investigation was completed) as 20161122. It is my understanding that I would not need a re investigation for six years (until 20221122). Please let me know if you need another form of confirmation.

2. Attached are a current position information report and an employee verification report. One validates the position information (GS level) and the other validates I am currently employed as a federal technician. Of course, this requires two documents and the system doesn't allow it to be displayed in one.

Sincerely,

JEFFREY D. WOOD  
COL, JA, AR ARNG  
Staff Judge Advocate

Office: [REDACTED]  
Cell Phone: [REDACTED]  
DSN: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Please help us to serve you better by completing our customer survey at the following link:

<https://ice.disa.mil/index.cfm?fa=card&sp=138183&s=355>

Legal Assistance Website: [https://arkansas.nationalguard.mil/Home/JAG Legal/](https://arkansas.nationalguard.mil/Home/JAG%20Legal/)

CONFIDENTIALITY AND DISCLAIMER NOTICE:

The information contained in this e mail and any accompanying attachments may contain sensitive information and is predecisional, which is protected from mandatory disclosure under the Freedom of Information Act, Title 5, United States Code, Section 552. It will not be released to unauthorized persons. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents.

UNCLASSIFIED  
UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000049

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

Original Message

From: Moring, Platte B III CIV DLSA (USA)  
Sent: Friday, March 13, 2020 10:07 AM  
To: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)  
[REDACTED]  
Subject: RE: GTMO Convening Authority

Please confirm that you have TS SCI security clearance and that you are still in a federal GS 13 technician payroll status. Platte

Original Message

From: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)  
[REDACTED]  
Sent: Monday, March 9, 2020 12:45 PM  
To: Moring, Platte B III CIV DLSA (USA) [REDACTED]  
Subject: GTMO Convening Authority

Mr. Moring:

I am still interested in serving in this part time assignment.

Thanks,

JEFFREY D. WOOD  
COL, JA, AR ARNG  
Staff Judge Advocate

Office: [REDACTED]  
Cell Phone: [REDACTED]  
DSN: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Please help us to serve you better by completing our customer survey at the following link:

<https://ice.disa.mil/index.cfm?fa=card&sp=138183&s=355>

Legal Assistance Website: [https://arkansas.nationalguard.mil/Home/JAG Legal/](https://arkansas.nationalguard.mil/Home/JAG%20Legal/)

CONFIDENTIALITY AND DISCLAIMER NOTICE:

The information contained in this e mail and any accompanying attachments may contain sensitive information and is predecisional, which is protected from mandatory disclosure under the Freedom of Information Act, Title 5, United States Code, Section 552. It will not be released to unauthorized persons. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents.

UNCLASSIFIED  
UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000050

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

Original Message

From: Moring, Platte B III CIV DLSA (USA)  
Sent: Monday, March 9, 2020 9:48 AM  
To: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)  
[REDACTED]  
Subject: RE: GTMO Convening Authority (UNCLASSIFIED)

The situation has changed. You are now under active consideration. Are you still interested in doing the job of Convening Authority as a part time assignment?

v/r,  
>  
> Platte  
>  
> Platte B. Moring, III  
> Acting Deputy General Counsel (Legal Counsel)  
> [REDACTED]  
> [REDACTED]  
>  
> Office: [REDACTED]  
>  
> Email/NIPR: [REDACTED]  
>  
> CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process or other privileges. Do not disseminate further without approval from the Office of the DoD General Counsel.  
>  
> <https://www.defense.gov/>

Original Message

From: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)  
[REDACTED]  
Sent: Tuesday, February 4, 2020 11:56 AM  
To: Moring, Platte B III CIV DLSA (USA) [REDACTED]  
Cc: Rofrano, Christian A BG USARMY NG NGB (USA)  
<[REDACTED]> Harvey, Brent C SES OSD OGC (USA)  
[REDACTED]  
Subject: RE: GTMO Convening Authority (UNCLASSIFIED)

Mr. Moring:

Thanks for the detailed update. Please keep me in mind if the situation changes.

Respectfully,

JEFFREY D. WOOD  
COL, JA, AR ARNG

UNCLASSIFIED  
UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000051

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

Staff Judge Advocate

Office: [REDACTED]  
Cell Phone: [REDACTED]  
DSN: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Please help us to serve you better by completing our customer survey at the following link:

<https://ice.disa.mil/index.cfm?fa=card&sp=138183&s=355>

Legal Assistance Website: [https://arkansas.nationalguard.mil/Home/JAG Legal/](https://arkansas.nationalguard.mil/Home/JAG%20Legal/)

CONFIDENTIALITY AND DISCLAIMER NOTICE:

The information contained in this e mail and any accompanying attachments may contain sensitive information and is predecisional, which is protected from mandatory disclosure under the Freedom of Information Act, Title 5, United States Code, Section 552. It will not be released to unauthorized persons. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents.

Original Message

From: Moring, Platte B III CIV DLSA (USA)  
Sent: Tuesday, February 4, 2020 10:49 AM  
To: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)  
[REDACTED]  
Cc: Rofrano, Christian A BG USARMY NG NGB (USA)  
<[REDACTED]> Harvey, Brent C SES OSD OGC (USA)  
[REDACTED]  
Subject: RE: GTMO Convening Authority (UNCLASSIFIED)

Please excuse my delay in updating you on the status of selecting a Convening Authority for the Military Commissions. To recap, I was tasked by the General Counsel to identify a qualified individual to serve as a Convening Authority. I made a request to the Military Departments for recommendations for volunteers. I did not receive any candidate nominations. I then turned to the National Guard Bureau Chief Counsel BG Rofrano for assistance with NG candidates. Your name was recommended as part of that process and an interview was conducted for the purpose of nomination by the General Counsel. Subsequent to your interview, the need to appoint new Military Judges for the Commissions has arisen as an additional requirement for manpower. As such, the Office of General Counsel has decided to task the Department of the Navy with making mandatory recommendations for Judges and a Convening Authority. The thought is that a Convening Authority will be selected from that pool. The General Counsel will see what that process yields. Should the need arise, we will contact

UNCLASSIFIED  
UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000052

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

you again to ascertain whether you still have an interest in serving.  
Thank you so much for your willingness to serve your country in this vital  
national security mission. Please feel free to contact me with questions.

v/r,  
>  
> Platte  
>  
> Platte B. Moring, III  
> Acting Deputy General Counsel (Legislation)  
> [REDACTED]  
> [REDACTED]  
>  
> Office: [REDACTED]  
>  
> Email/NIPR: [REDACTED]  
>  
> CAUTION: Information contained in this message may be protected by the  
attorney/client, attorney work product, deliberative process or other  
privileges. Do not disseminate further without approval from the Office of  
the DoD General Counsel.  
>  
> <https://www.defense.gov/>

Original Message

From: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)

Sent: Friday, January 24, 2020 1:50 PM

To: Moring, Platte B III CIV DLSA (USA) [REDACTED]

Subject: GTMO Convening Authority (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Mr. Moring:

I wanted to check in with you and see if there were an updates. I  
appreciate these type of actions take a while and often shift to the right.

Thanks,

JEFFREY D. WOOD  
COL, JA, AR ARNG  
Staff Judge Advocate

Office: [REDACTED]

Cell Phone: [REDACTED]

DSN: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

UNCLASSIFIED  
UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000053

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

[REDACTED]

Please help us to serve you better by completing our customer survey at the following link:

<https://ice.disa.mil/index.cfm?fa=card&sp=138183&s=355>

Legal Assistance Website: [https://arkansas.nationalguard.mil/Home/JAG Legal/](https://arkansas.nationalguard.mil/Home/JAG%20Legal/)

CONFIDENTIALITY AND DISCLAIMER NOTICE:

The information contained in this e mail and any accompanying attachments may contain sensitive information and is predecisional, which is protected from mandatory disclosure under the Freedom of Information Act, Title 5, United States Code, Section 552. It will not be released to unauthorized persons. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents.

Original Message

From: Moring, Platte B III CIV DLSA (USA)  
Sent: Monday, December 23, 2019 9:23 AM  
To: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)  
[REDACTED]  
Cc: Harvey, Brent C SES OSD OGC (USA) [REDACTED]  
Subject: RE: GTMO Convening Authority (UNCLASSIFIED)

Please be advised that your consideration for the above position is still ongoing. You are in active consideration. DoD hopes to be able to make a decision within the next month. Thank you for your interest in this special federal service. Happy holidays!

v/r,

>

> Platte

>

> Platte B. Moring, III

> Special Assistant to DOD General Counsel

> [REDACTED]

> [REDACTED]

>

> Office: [REDACTED]

>

> Email/NIPR: [REDACTED]

>

> CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process or other privileges. Do not disseminate further without approval from the Office of the DoD General Counsel.

>

> <https://www.defense.gov/>

UNCLASSIFIED

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000054



UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

Original Message

From: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)

Sent: Tuesday, December 3, 2019 11:17 AM

To: Moring, Platte B III CIV DLSA (USA)

Cc: Harvey, Brent C SES OSD OGC (USA)

Subject: RE: GTMO Convening Authority (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Mr. Moring:

I just tried to give you a call but it went to voice mail. I am in my office now.

Thanks,

JEFFREY D. WOOD  
COL, JA, AR ARNG  
Staff Judge Advocate

Office:

Cell Phone:

DSN:

Please help us to serve you better by completing our customer survey at the following link:

<https://ice.disa.mil//index.cfm?fa=card&sp=138183&s=355>

Legal Assistance Website: [https://arkansas.nationalguard.mil/Home/JAG Legal/](https://arkansas.nationalguard.mil/Home/JAG%20Legal/)

CONFIDENTIALITY AND DISCLAIMER NOTICE:

The information contained in this e mail and any accompanying attachments may contain sensitive information and is predecisional, which is protected from mandatory disclosure under the Freedom of Information Act, Title 5, United States Code, Section 552. It will not be released to unauthorized persons. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents.

Original Message

From: Moring, Platte B III CIV DLSA (USA)

Sent: Monday, November 25, 2019 4:25 PM

To: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)

UNCLASSIFIED

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000055

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

Cc: Harvey, Brent C SES OSD OGC (USA) [REDACTED]  
Subject: RE: GTMO Convening Authority

That plan will work out well. Platte

Original Message  
From: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)  
[REDACTED]  
Sent: Monday, November 25, 2019 5:19 PM  
To: Moring, Platte B III CIV DLSA (USA) [REDACTED]  
Subject: Re: GTMO Convening Authority

I will plan on calling your office number at that time unless you email a different number. In case something changes last minute, my government cell is [REDACTED] and my personal cell is [REDACTED]

Jeff

Sent from my iPhone

> On Nov 25, 2019, at 8:03 AM, Moring, Platte B III CIV DLSA (USA)  
<[REDACTED]> wrote:

> EST, D.C. time. Thanks, Platte

> Original Message  
> From: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)

[REDACTED]  
> Sent: Monday, November 25, 2019 8:59 AM  
> To: Moring, Platte B III CIV DLSA (USA) [REDACTED]  
> Subject: Re: GTMO Convening Authority

> Central time, correct? I have it locked in and looking forward to it.

> Jeff

> Sent from my iPhone

>> On Nov 25, 2019, at 7:47 AM, Moring, Platte B III CIV DLSA (USA)

<[REDACTED]> wrote:

>> How about 1115 on 3 DEC for telephone interview? Thank you for your interest.

>> v/r,

>>> Platte

>>> Platte B. Moring, III  
>>> Special Assistant to DOD General Counsel

>>> [REDACTED]

>>> [REDACTED]

>>> Office: [REDACTED]

>>> Email/NIPR: [REDACTED]

>>>

UNCLASSIFIED

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000056

UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022  
UNCLASSIFIED

>>> CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process or other privileges. Do not disseminate further without approval from the Office of the DoD General Counsel.

>>>

>>> <https://www.defense.gov/>

>>

>>

>>

>>

>> Original Message

>> From: Wood, Jeffrey Douglas COL USARMY NG ARARNG (USA)

>> Sent: Saturday, November 23, 2019 8:58 PM

>> To: Moring, Platte B III CIV DLSA (USA) <[REDACTED]>

>> Subject: Re: GTMO Convening Authority

>>

>> Mr. Moring:

>>

>> Unfortunately, I can't view encrypted emails on my iPhone. It will be Wednesday before I can view them. Of course, the CAC reader on my government Thinkpad stopped working yesterday.

>>

>> Jeff

>>

>>

>> Sent from my iPhone

>>

>> On Nov 23, 2019, at 10:47 AM, Moring, Platte B III CIV DLSA (USA)

<[REDACTED]> wrote:

>>

CLASSIFICATION: UNCLASSIFIED

CLASSIFICATION: UNCLASSIFIED

UNCLASSIFIED  
UNCLASSIFIED//FOR OFFICIAL USE ONLY  
REL TO ISN 10019, 10021, AND 10022

HLZ-048-000057